

VERIFIED STATEMENT OF LIEN

STATE OF ALABAMA)
SHELBY COUNTY)

Kelly Construction, Inc., files this statement in writing, verified by the oath of Robert Kelly, its President, who has personal knowledge of the facts herein set forth:

That said Kelly Construction, Inc., claims a lien upon the following real property, situated in Shelby County, Alabama, to wit:

LEGAL PROPERTY DESCRIPTION

The property described in Exhibit "A" and Exhibit "B", both of which are attached hereto and made a part hereof.

Specifically including, but not limited to:

Lots 1, 2, 5, 6, 7, 8, 9, 151, 157, 164, 185, 186, 187, 188, 189 and 190 according to the survey of Lexington Parc, Sector 1, as recorded in Map Book 38, Page 81, in the Probate Office of Shelby County, Alabama

Specifically excluding:

Lots 3, 4, 152, 153, 154, 155, 156, 158, 159, 160, 161, 162, 163, 183 and 184 according to the survey of Lexington Parc, Sector 1, as recorded in Map Book 38, Page 81, in the Probate Office of Shelby County, Alabama

This lien is claimed, separately and severally, as to the land, buildings and improvements thereon to the extent of the entire lot or parcel which is contained within a city or town. If said land is not within a city or town, this lien is claimed, separately and severally, as to the buildings and improvements located on the above-described real property, plus one acre of land surrounding and contiguous thereto. This lien is also claimed as to any amounts owing from the owner or proprietor of the said property to the said contractor.

That said lien is claimed to secure an indebtedness, after all just credits have been given, of One Hundred Fifty-Eight Thousand Eight Hundred Seventy-One Dollars and Thirty-Five cents (\$158,871.35), with interest plus all allowable costs and attorney's fees, for labor, services, and materials furnished by Kelly Construction, Inc. for the purpose of, but not limited to, installing the pavement and curb and gutters in connection with the construction and improvements on the above-described property.

The name of the owner of the said property is Lexington Parc Development, LLC, an Alabama Limited Liability Company with its registered agent being James Alan Burns, 4880 Valleydale Road, Birmingham, Alabama 35242.

Kelly Construction, Inc.

BY:

Robert Kelly
Robert Kelly, President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

Before me, Marlyn Watts Amin a notary public in and for the county of Jefferson, State of Alabama, personally appeared Robert Kelly, President of Kelly Construction, Inc., who being duly sworn, doth depose and say: That he has personal knowledge of the facts set forth in the foregoing Verified Statement of Lien, and that the same are true and correct.

Robert Kelly
Affiant

Subscribed and sworn to before me on this the 30th day of October, 2007.

Marlyn Watts Amin
Notary Public

[NOTARIAL SEAL]

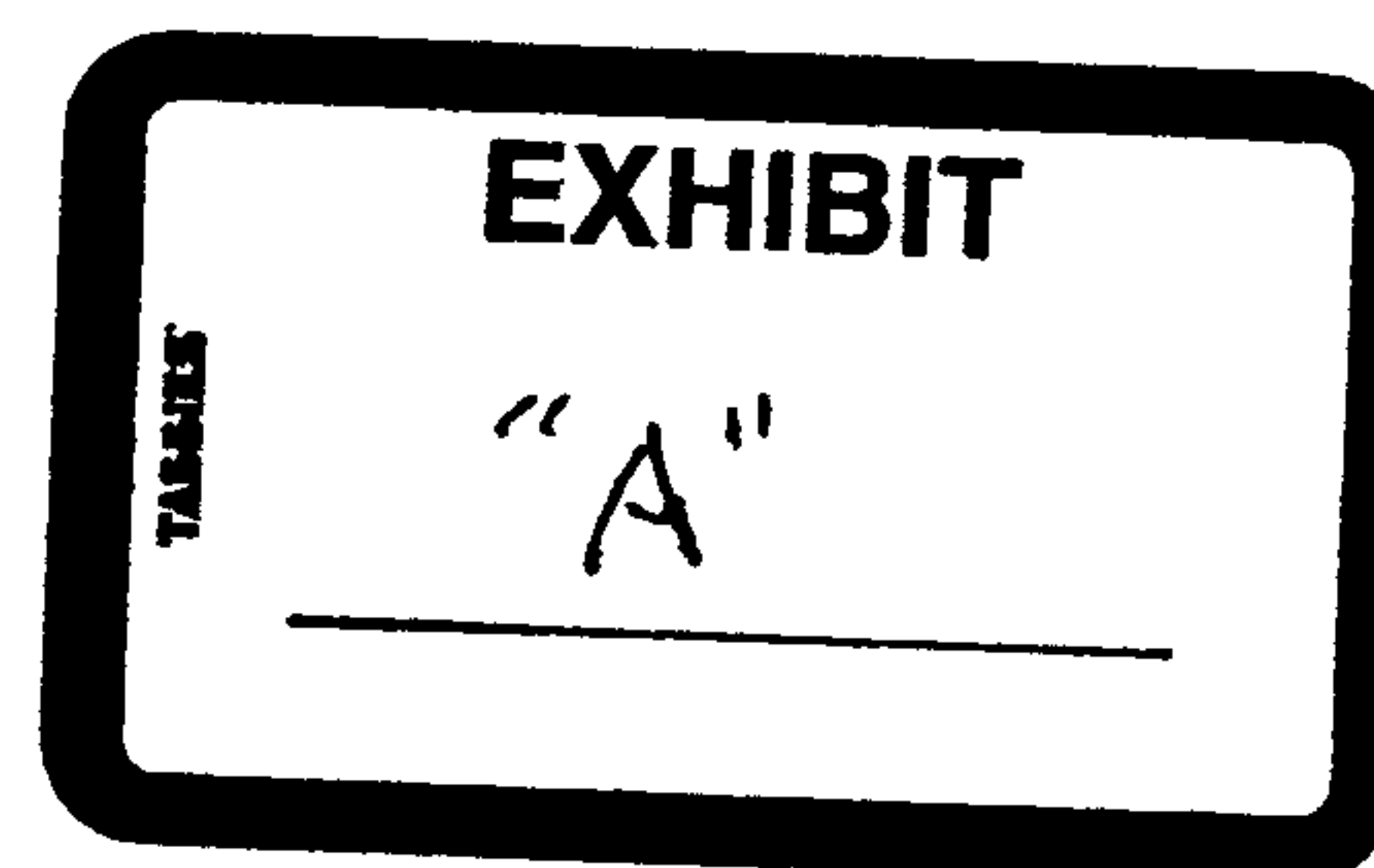
Prepared By:

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20071030000502200 3/4 \$20.00
Shelby Cnty Judge of Probate, AL
10/30/2007 03:26:28PM FILED/CERT

A parcel of land lying in Section 2, Township 22 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at a 1" iron rod found in place at the SE corner of said Section 2 and run N 00°11'16" E for a distance of 1467.70 feet to a 1" crimp pipe found in place at the NE Corner of a parcel of land recorded in Instrument No. 2004400171050 in the Office of the Judge of Probate in said county; thence N 89°42'24" W for a distance of 900.13 feet to 5/8" rebar found in place and the Point of Beginning; thence S 00°11'24" W for a distance of 556.44 feet to a capped rebar (illegible) found in place; thence N 89°28'13" W for a distance of 1465.57 feet to a point; thence N 00°31'47" E for a distance of 550.45 feet to a point on the south line of Annmersee Lake Subdivision as recorded in Plat book 28 on Page 98 in said Probate Office of Shelby County; thence S 89°42'16" E along said south line for a distance of 1462.28 feet to the Point of Beginning. [REDACTED]



Begin at the SE corner of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama; thence North 89 degrees 45 minutes 44 seconds West along the South line of said section for a distance of 2584.75 feet; thence North 01 degree 11 minutes 00 seconds West for a distance of 150.05 feet; thence North 01 degree 29 minutes 41 seconds West for a distance of 146.99 feet; thence South 89 degrees 37 minutes 41 seconds West for a distance of 303.02 feet to the easterly right of way line of Alabama Highway 119; thence North 04 degrees 46 minutes 20 seconds West along said right of way line for a distance of 499.91 feet; thence North 87 degrees 57 minutes 41 seconds East and leaving said right of way for a distance of 2000.46 feet; thence North 02 degrees 21 minutes 50 seconds West for a distance of 556.36 feet; thence North 87 degrees 43 minutes 59 seconds East for a distance of 900.18 feet; thence South 02 degrees 21 minutes 50 seconds East for a distance of 1467.31 feet to the POINT OF BEGINNING.

According to the survey of Rodney Shiflett, dated July 20, 1999.

LESS AND EXCEPT

Commence at the Southeast corner of Section 2, Township 22 South, Range 3 West; thence run West along the South line of said Section 2 for 2333.78 feet; thence turn an angle to the right of 84 degrees 59 minutes 24 seconds and run North for 300.55 feet to the point of beginning; thence continue along the last described course for 415.40 feet; thence turn an angle to the left of 87 degrees 15 minutes 59 seconds and run West for 534.95 feet to a point on the East right of way Alabama Highway No. 119; thence turn an angle to the left of 92 degrees 44 minutes 01 seconds and run South along the East right of way for 399.80 feet; thence turn an angle to the left of 85 degrees 35 minutes 59 seconds and run East for 535.92 feet to the point of beginning.

According to the survey of Steven H. Gay. RLS#17522, dated January 9, 2002.

